

**Policy Subcommittee  
Court Alcohol and Drug Program Advisory Committee  
Judicial Conference of Indiana**

October 31, 2003  
Minutes

The CADPAC's Policy Subcommittee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, October 31, 2003 from 10:05 a.m. to 3:15 p.m.

1. Members present. Judge Joe Sutton, Chair; Denise Benjamin; Linda Brady; Ralph Cousins; Debra Jenkins; June Kramer; Terry Moore; and Steve Pifer.
2. Staff present. Cheri Harris, Bill Carey and Lori Amsbury provided the committee with staff assistance.
3. Introductions. The entire subcommittee was present for the inaugural meeting of the new chair. The subcommittee welcomed Debra Jenkins to her first subcommittee meeting.
4. Minutes approved. The subcommittee approved the minutes from the meeting held June 20, 2003.

**MOTION: June Kramer moved to adopt the minutes. Ralph Cousins seconded the motion. The minutes were adopted unanimously without change.**

5. Background/Overview. To provide a background for the chair and subcommittee's newest members, staff provided an overview of the scope of the subcommittee's work and examples of the subcommittee's activities over the past two years.
6. Transfer issues. Staff reminded the subcommittee that at its last meeting it had adopted its recommendation to CADPAC concerning transfers, but this recommendation had not yet been presented to CADPAC. Subcommittee members decided that it would be helpful to develop some accompanying materials that would help explain the step-by-step process of how to implement the policy. Ideally these materials would include sample forms and would address the following:
  - a. How the receiving county gets compensated.
  - b. The procedure for requesting a local cause number for a transferred case.

- c. The documentation to accompany a transfer request, including release of information consent permitting communication between sending and receiving counties.

In addition members of the subcommittee suggested adding information to the IJC's website to include each programs policy on accepting transfers, a directory of what education services are provided by each program, and a link to DMHA's directory of certified addiction services treatment providers.

**MOTION: June Kramer moved to adopt the transfer recommendation. Linda Brady seconded the motion. The transfer recommendation was adopted unanimously.**

7. Forensic Diversion. Staff advised the subcommittee of many meetings attended on this subject, and recent developments. The subcommittee discussed the request for proposals issued by the Department of Correction. Members recommended that IJC encourage programs to get involved in making proposals with their Community Corrections Advisory Boards. Members suggested staff make information available to interested programs about Judge Trockman's Forensic Diversion Program and about the PAIR Project. Members asked staff to find out who will do case management for Judge Trockman's program and whether the hearings would be held separate from drug court. The subcommittee reviewed the memorandum Judge Brugnaux submitted to the Commission on Mental Health suggesting some changes to the forensic diversion statute and after some revisions to make it appropriate for use as a formal position, the subcommittee voted to recommend the memo to CADPAC.

**MOTION: Terry Moore moved to adopt the memorandum with the revisions discussed and recommend it to CADPAC. Steve Pifer seconded the motion. The recommendation was adopted by a vote of 7 - 0.**

8. Including Treatment in Cost of Fee. The subcommittee discussed the issue of whether to recommend a policy concerning a program's decision to directly contract for treatment services. This question was originally raised in 2000, and at that time the subcommittee had decided to remain neutral on the practice. The subcommittee was asked to reconsider this position in light of subsequent rule changes. After discussing the issue, the subcommittee identified some concerns about whether the providers and the court had equal bargaining power in determining the value of services. Discussion addressed competing issues of concern for maintaining viability of a treatment provider in this situation and believing this approach was within the Judge's discretion. Seeing advantages and disadvantages on both sides, and in an effort to avoid micromanaging, the subcommittee one again decided to remain neutral.

9. New Business. The subcommittee discussed whether to put forward a legislative agenda for the upcoming session. Some members expressed an interest in adopting collections measures that were implemented in the new probation user fee statute. Members familiar with the changes to the probation user fee statute indicated some drawbacks to making this change and suggested holding a forum for discussion prior to incorporating it into a legislative agenda. The subcommittee discussed other steps judges and programs can take towards improving collections. Staff distributed a copy of the mission statement of the Indiana Judicial Center's Court Alcohol and Drug Program for development of one or more vision statements and goals at the next meeting.
10. Next meetings. The subcommittee decided to schedule meetings for the rest of the year to permit members to avoid conflicts. Future meetings in 2004 will be held on Fridays from 10:00 a.m. to 2:00 p.m. on March 26, April 30 (if needed), July 23, and October 22.

Respectfully submitted,

Cheri A. Harris  
Staff Attorney